

Message Text

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E.O. 11652: N/A
TAGS: THGA, ETRD, MILI, PFOR, TU, US
SUBJECT: TURKISH NEWSPAPER REPORTS "CANCELLATION" OF AGREEMENT ON
LOCKHEED DOCUMENTS

REF: ANKARA 9801

1. HURRIYET OF DECEMBER 29 CARRIES DETAILED ARTICLE ON
"CANCELLATION" BY US DEPARTMENT OF JUSTICE OF AGREEMENT WITH
TURKISH MINISTRY OF JUSTICE ON PROVISION OF DOCUMENTS RELATING
TO LOCKHEED CASE. INFORMAL TRANSLATION OF ARTICLE IS TRANS-
MITTED BELOW. NO REPEAT NO OTHER TURKISH DAILY CARRIED STORY OR
ANY LOCKHEED RELATED ITEMS ON SAME DATE.

2. BEGIN TEXT. CUNEYT ARCA YUREK REPORTS FROM ANKARA:
THE U.S. DEPARTMENT OF JUSTICE HAS OFFICIALLY ANNOUNCED
THAT IT WILL NO LONGER GIVE ANY DOCUMENT ON LOCKHEED
TO THE GOVERNMENT OF TURKEY. THE DEPUTY ATTORNEY GENERAL
OF THE U.S.A., KEENEY, HAS INFORMED THE TURKISH EMBASSY
IN WASHINGTON THAT THE FOURTH ARTICLE OF THE AGREEMENT SIGNED
BETWEEN TURKEY AND THE U.S. HAS BEEN VIOLATED BY THE GOVERN-
MENT OF TURKEY. UNDER THE PROVISIONS OF THIS ARTICLE, THE
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INFORMATION AND DOCUMENTS TO BE RECEIVED BY THE PARTIES CON-
CERNED WERE REQUIRED TO BE KEPT SECRET.

3. THE U.S. AUTHORITIES HAVE MADE THE FOLLOWING COMMENTS ON
THIS MATTER: A PARLIAMENTARY COMMISSION TO MAKE INVESTI-
GATIONS ON LOCKHEED HAS BEEN ESTABLISHED IN TURKEY. THIS

COMMISSION, HOWEVER, DOES NOT HAVE ANY JUDICIAL POWER. THE UNITED STATES HAD AGREED ON THE TRANSFER OF DOCUMENTS TO THE PUBLIC PROSECUTOR AND TO THE MILITARY PROSECUTOR OF THE TURKISH GENERAL STAFF. CONSIDERING THAT THE PARLIAMENTARY COMMISSION IS A POLITICAL ORGAN AND DOES NOT HAVE A JUDICIAL POWER, THE U.S. OBJECTED TO THE TRANSFER OF THE DOCUMENTS TO THIS COMMISSION. THE U.S. CLAIMED THAT THE DOCUMENTS MAY BE TRANSFERRED TO THE PARLIAMENTARY COMMISSION ONLY AFTER A MINISTER OR A POLITICIAN IS FOUND TO BE GUILTY AND AFTER LEGAL PROCEDURES ARE INITIATED AGAINST HIM IN A COURT. UNDER THESE CIRCUMSTANCES, THE U.S. GOVERNMENT HAS DEFINITELY DECIDED NOT TO GIVE ANY MORE DOCUMENTS TO TURKEY ON THIS SUBJECT. IF THE GOVERNMENT OF TURKEY INSISTS ON THE TRANSFER OF DOCUMENTS TO THE COMMISSION, THEN THE BILATERAL AGREEMENT WILL HAVE TO BE CANCELLED.

4. TURKISH VIEWS: ACCORDING TO THE TURKISH MINISTRY OF JUSTICE THE METHODS OF SUPERVISION ARE PRESCRIBED IN ARTICLE 80 OF THE CONSTITUTION. PROVISIONS ON INVESTIGATIONS ARE COVERED IN ARTICLE 90 OF THE CONSTITUTION. THE TRANSFER OF DOCUMENTS TO THE PARLIAMENTARY COMMISSION IS CONSIDERED VERY NATURAL BY THE GOVERNMENT OF TURKEY.

5. UPON THE WRITTEN INSTRUCTIONS OF PRIME MINISTER DEMIREL, ALL DOCUMENTS IN THE HANDS OF THE MINISTRY OF JUSTICE WERE GIVEN TO THE PARLIAMENTARY COMMISSION. THE NEW DEVELOPMENTS AND THE DECISIONS OF THE U.S. ARE LIKELY TO LEAD TO A DIPLOMATIC STRUGGLE BETWEEN TURKEY AND THE U.S.

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END TEXT.
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